

Exhibit F



In partnership with GTZ – APSP

LABOUR

LAW

Law nr 8/98 of 20th July

LABOUR LAW

Law no. 8/98 of 20th July

Having the need to adapt the current juridico-legal framework to socio-economic, political and structural changes in the realm of labour, employment and social security, arising from the provisions of sub-clause 1 of article 135 of the Constitution, the Assembly of the Republic determines:

CHAPTER I GENERAL PROVISIONS

Article 1 (Object)

- 1) The present Law defines the general principles, and establishes the legal regime applicable to individual and collective labour relations.
- 2) The provisions of the present Law may not be derogated from, or modified by, instruments of collective labour regulation, or by an individual employment agreement, except when they establish more favourable regimes.

Article 2 (Extent of Application)

- 1) The present Law is applicable to juridico-labour relations established between employing entities of State, co-operative (in relation to salaried workers), mixed and private sectors, in all areas of activity, and to national workers and foreigners who conduct their activities in the country.
- 2) The present Law is also applicable to juridico-labour relations between public companies and their respective workers, without prejudice to the derogations provided for in specific applicable legislation.
- 3) The juridico-labour relations of State functionaries shall be regulated by a specific statute.

Article 3 (Special Regimes)

Labour relations in the domestic, mining, port, maritime, rural, artistic, home and other sectors whose activities require special regimes, shall be regulated by the present Law in all aspects in which this is shown to be appropriate, having regard to the nature and particular characteristics of the sector.

Article 4 (Sources of Labour Law)

- 1) The Constitution of the Republic, rule-making acts emanating from the Assembly of the Republic and the Government, as well as legal employment norms and instruments of collective labour regulation, constitute the sources of labour law.

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orientation and occupational development, and by means of the operation of free public placement services.

Article 169
(Methods for Promoting Employment)

The following shall constitute methods for promoting employment:

- a) The preparation and execution of development plans and programmes, involving all State bodies, in co-operation with social partners, in co-operative, co-ordinated activities in the areas of the creation, maintenance and recovery of posts;
- b) Support for individual and collective initiatives which envisage the creation of employment and work opportunities, as well as the promotion of investments which generate employment in the various sectors of economic and social activity;
- a) Incentives for the occupational and geographic relocation of workers and their families in a manner appropriate to the equilibrium between supply and demand of employment, and considering sectoral and regional investments for the social promotion of social-occupational groups;
- b) The outlining of programmes to provide occupational information and orientation for young people and workers, with a view to building the capacity of citizens and communities to freely choose a profession and a type of work, according to their individual capacities and the needs of the development of the country;
- c) The development of activities of co-operation with foreign countries, in the regime of migrant work;
- d) The organisation of free public placement services;
- e) The regulation and supervision of private placement activities for workers, by licencing, controlling and supervising their exercise.

SECTION III
FOREIGN WORKERS

Article 170
(General Principles)

- 1) Employing entities shall create conditions for the integration of qualified Mozambican workers in posts of greater technical complexity, and in places of management and administration of firms.
- 2) Foreign workers who perform occupational activities in the country shall have the right to the same treatment and opportunities as national workers, within the framework of the norms and principles of International Law, and in compliance with the clauses of reciprocity agreed to between the Republic of Mozambique and any other country - without prejudice to the provisions of Law which reserve specific functions exclusively for national citizens, or which place restrictions on the recruitment of foreigners, for reasons of public interest.
- 3) Employing entities, whether national or foreign, may only have foreign individuals in their service, even if these are not remunerated, with the prescribed authorisation of the Ministry of Labour, or of its delegated entities.
- 4) The provision of the previous sub-clause shall apply to administrators, directors, managers and agents, as well as to employing entities which represent foreign firms, in relation to those employed or delegated in their representative offices.
- 5) Agents and representatives of employing entities to whom work permits have been issued, shall be exempted from the provisions of sub-clauses 3 and 4 of the present article.

Article 171

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(Conditions for the Contracting of Foreign Workers)

- 1) A foreign worker shall possess such occupational qualifications and specialisations as the country requires, and his admission may only be effected if there are no nationals who have such qualifications, or if their number is insufficient.
- 2) Whenever the entities referred to in sub-clauses 3 and 4 of the previous article intend to make use of the services of foreign individuals, they shall submit an application to the Ministry of Labour, indicating the firm's name, head office and area of activity, the identification of the workers to be admitted, the duties which they shall perform, their envisaged remuneration, their occupational qualifications, duly proved, and the duration of the contract.
- 3) The mechanisms and procedures for the contracting of foreign individuals, as well as the conditions for the performance of the functions of directors and managers, shall be defined in a specific diploma.

Article 172

(Restrictions on the Contracting of Foreign Workers)

- 1) Without prejudice to the provisions of the Law which regulate the granting of residence permits, the contracting of foreign workers shall be prohibited when these have entered the country by means of a diplomatic, courtesy, official, tourist, visitor's, business or study visa.
- 2) A foreign worker with temporary residence shall not remain in the national territory once the period of the contract on the basis of which he entered Mozambique, has expired.

SECTION IV

OCCUPATIONAL TRAINING

Article 173 -

(Objectives)

- 1) Occupational training, improvement and re-qualification shall be regulated by the State, and shall have as its objectives the guarantee of the development of capacities, and the acquisition of skills and knowledge necessary for the exercise of a qualified profession, by young persons and adults, thereby facilitating access to the labour market.
- 2) It shall be incumbent on the State to promote actions aimed at the occupational training and re-qualification of workers, so as to promote access to higher occupational categories, and to the fulfillment of the demands of posts.

Article 174

(Apprenticeship)

- 1) Firms may give apprentices jobs which are connected to the occupational specialisation to which the apprenticeship pertains, provided that this will grant access to the respective occupational career.
- 2) For the purposes of the previous sub-clause, the apprenticeship shall have a variable duration, depending on the normal practice of the profession.
- 3) Young people of less than twelve years of age may not be admitted to establishments or firms for apprenticeships.

Article 175

(Contracts of Apprenticeship)

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